

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A shredder for shredding material, comprising:
 - a housing having a cutting device to shred material;
 - a receptacle positioned to receive the shredded material, and enabling the shredded material to accumulate within the receptacle;
 - a detecting device including a detector positioned below the cutting device between the cutting device and the receptacle, wherein the detecting device that emits and detects a beam, the detector being positioned below the cutting device at a predetermined height with respect to the receptacle such that the beam is interrupted when the shredded material occupies a first position accumulates within the receptacle the beam is interrupted to a level at or above the predetermined height; and
 - a timer set to a predetermined period of time such that when the shredded material is present within the receptacle and interrupts the beam for a period longer than the predetermined period of time, the cutting device is deactivated and will not operate to shred material until the shredded material is no longer present in the path of the beam
the detecting device being coupled to the cutting device, wherein the detecting device determines if the beam has been interrupted for at least a predetermined period of time and in response prevents operation of the cutting device until the beam is no longer interrupted, and wherein the detecting device ignores interruptions of the beam for less than the predetermined period of time and enables operation of the cutting device to continue.
2. (Currently Amended) The shredder of claim 1 wherein the detecting device detector emits an infrared beam.
3. (Currently Amended) The shredder of claim 1 wherein the detecting device detector further comprises a light emitting diode.
4. (Currently Amended) The shredder of claim 1 wherein the detecting device detector further comprises a laser.
5. (Currently Amended) The shredder of claim 1 wherein the detecting device detector further comprises a light source not in a visible spectrum.

6. (Cancelled).

7. (Previously Presented) The shredder of claim 1, wherein the predetermined period of time is between about 1 to about 30 seconds.

8. (Currently Amended) The shredder of claim 1 further comprising an indicator to provide indication to a user when the detecting device determines that the beam has been interrupted for at least the predetermined period of time that the shredded material occupies a first position within the receptacle.

9. (Original) The shredder of claim 8, wherein the indicator provides visual indication.

10. (Original) The shredder of claim 8, wherein the indicator provides audible indication.

11. (Original) The shredder of claim 1, wherein the receptacle comprises a bottom and at least one wall extending from the bottom to define an open top to receive the shredded material.

12. (Cancelled).

13. (Cancelled).

14. (Cancelled).

15. (Cancelled).

16. (Cancelled).

17. (Cancelled).

18. (Cancelled).

19. (Cancelled).

20. (Cancelled).

21. (New) The shredder of claim 1 further comprising a timer set to the predetermined period of time, the time being used to determine if the beam has been interrupted for at least the predetermined period of time.